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HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF OLD TAPPAN BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

**BOROUGH OF OLD TAPPAN PLANNING BOARD
BA# 2067.03**

**October 22, 2008
Updated: November 17, 2008**

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The original document was appropriately signed and sealed on November 17, 2008 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.



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INTRODUCTION

In 1975, the New Jersey Supreme Court decided in So. Burlington Cty. NAACP v. Township of Mount Laurel that every developing municipality in New Jersey has an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983, the Court acknowledged that the vast majority of municipalities in the State had ignored their constitutional obligation and called for the State Legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result was the Fair Housing Act of 1995, which established the New Jersey Council on Affordable Housing (COAH), the state agency responsible for overseeing the manner in which the State's municipalities address their constitutional obligation to provide opportunities for the development of low- and moderate-income housing.

COAH had originally adopted its first round housing need numbers in 1987, then addressed its second round need numbers in 1994 with a 'fair share' methodology to determine housing-need numbers for all municipalities in the State. Referring to combined first and second round housing need numbers as the "Prior Round," Old Tappan had a total affordable housing obligation of 98 units, entirely comprised of new construction units. In December 2004, COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules for the period beginning December 20, 2004. When COAH released these initial Third Round Rules, the Borough's Prior Round obligation decreased to 79 new construction units.

This adjustment was short lived as COAH again adjusted the Prior Round obligation numbers in response to an Appellate Division ruling in January 2007. These amended Third Round Rules (N.J.A.C. 5:97 and N.J.A.C. 5:96) were adopted on June 2, 2008. The readjusted new construction obligation for the Prior Round is 98 units, the same as the original Prior Round numbers. Another change brought about by the amended Third Round Rules is that Old Tappan has been assigned a rehabilitation obligation of seven units.

The Borough has been an active participant in the COAH process, having filed its Prior Round Housing Element and Fair Share Plan on May 10, 1995. On February 7, 1996, COAH granted substantive certification to Old Tappan, which addressed its affordable housing obligation through a combination of inclusionary developments and regional contribution agreements (RCAs). On December 16, 2005, the Borough petitioned for continued substantive certification based on the initial Third Round Rules, indicating its intention to continue working with COAH to address its affordable housing obligation.

The Third Round Rules implement a new 'growth share' approach to affordable housing, representing a significant departure from COAH's Prior Round Rules in that the new rules link the production of affordable housing with actual development and projected growth. There are three components to the Third Round methodology, as follows:

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1. Rehabilitation Share,
2. Any remaining Prior Round obligation for the period 1987-1999,
3. “Growth share” obligation, for the period 2004 through 2008

Growth share is generated by projections of residential and non-residential growth projections for the period covering January 1, 2004 through December 31, 2018. The new substantive rules state that the municipality is obligated to provide one affordable unit for every four market-rate residential units projected to be constructed. In addition, each municipality is obligated to provide one affordable unit for every 16 newly created jobs.

Based on COAH’s June 2008 estimates of need, Old Tappan has a Third Round affordable housing obligation comprising a seven unit rehabilitation component and a 91 unit growth share component that is a function of projected residential and non-residential growth. COAH estimates that between 2004 and 2018 the Borough will add an additional 356 dwellings, which translates to 71.2 units of affordable housing, and 314 jobs, which translates to 19.6 units of affordable housing. Given recent data on growth and the limited availability of buildable vacant land, we offer a realistic analysis of the Borough’s development potential.

We have undertaken a vacant land and environmental constraints analysis to determine the realistic development potential within the Borough. The COAH vacant land analysis contends there are 285 acres of vacant land, which is far in excess of what parcel area is actually vacant and buildable. After removing from consideration parcels that are environmentally constrained, parcels deemed vacant that are utilized and developed, or have development approvals that are still valid, the potential developable vacant land in Old Tappan amounts to approximately 9.6 acres. As indicated on the maps within this Housing Element, environmental constraints such as wetlands, flood hazard areas and buffers limit development potential.

In addition, we also reviewed COs issued and demolition permits. Since 2004, there have been more demolitions of residential units than COs issued, an indication that residential development is limited to teardowns and reconstruction, a one-for-one swap. Based on its realistic development potential cited above, the Borough’s affordable housing new construction obligation is **19 units**. Carrying over three credits from the Prior Round, the Borough must provide enough units and credits to total 16 units for the Third Round.

This document provides the background data as required by COAH, and preliminary comments about the Prior Round obligation and Third Round issues. This Housing Element and Fair Share Plan also address the Municipal Land Use Law (MLUL) requirement of providing a housing element within the Master Plan.

SECTION I: HOUSING ELEMENT

Borough of Old Tappan Housing Element and Fair Share Plan

A. COMMUNITY OVERVIEW

The Borough of Old Tappan is located in northeastern Bergen County. Several Bergen County municipalities surround Old Tappan, including the Boroughs of Northvale and Norwood to the east, the Borough of Harrington Park to the south, and the Township of River Vale to the south and west. Rockland County, New York is located on Old Tappan's northern boundary. Old Tappan has a land area of approximately 3.9 square miles. County roadways provide regional access to the Borough since no major highways transverse Old Tappan.

The Borough is a predominantly developed community, consisting primarily of residential uses. Commercial development accounts for approximately two percent of the Borough's land area. The second largest land use category consists of lands owned by the United Water Company. These lands occupy just over one-third of the Borough's land area, consisting of Lake Tappan and its associated watershed area. Based on our review the available, developable vacant land in the Borough is 5.24 acres. A significant portion of the Borough's land area is restricted from development due to rules adopted by the New Jersey Department of Environmental Protection (NJDEP).

B. INVENTORY OF MUNICIPAL HOUSING STOCK

This section of the housing element provides an inventory of the Borough's housing stock, as required by the MLUL. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated.

1. Number of Dwelling Units. As seen in the table below, the Borough's housing stock increased dramatically during the 1960s. Double-digit percentage growth continued through the 1990s, but this decade has seen a significant slowdown in the number of additional dwelling units. As of March 2008, there are 1,914 dwelling units in the Borough.

Table 1: Dwelling Units (1960-2000) - Old Tappan, New Jersey

Year	Dwelling Units	Change (#)	Change (%)
1960	629	--	--
1970	987	358	56.9
1980	1,177	190	19.3
1990	1,303	126	10.7
2000	1,778	475	36.5
2008 **	1,914	136	7.1

Sources: 2003 Bergen County Data Book; N.J. Department of Community Affairs (NJDC), N.J. Construction Reporter (** data through March 2008)

Per the residential growth projections outlined in the COAH regulations, the NJDCA estimates the Borough will have 2,165 residential units in 2018, a 13 percent increase over the estimated existing number of dwelling units. This is almost double the growth rate since 2000.

The following table provides information regarding the tenure and occupancy of the Borough's housing stock as of the 2000 U.S. Census. Old Tappan's housing units are primarily owner-occupied, with only six percent of the units renter-occupied and just one percent considered vacant.

Table 2: Housing Units by Tenure and Occupancy Status (2000) - Old Tappan, New Jersey

Characteristics	Number	Percent
Owner-occupied	1,662	92.1
Renter-occupied	116	6.4
Vacant units	26	1.4
Total	1,804	100.0

Source: U.S. Census Data, 2000

2. **Housing Characteristics.** The following tables provide additional information on the characteristics of the Borough's housing stock, including data on the number of units in the structure and the number of bedrooms. Residential structures in Old Tappan primarily consist of single-family detached units. The number of single-family attached structures grew substantially between 1990 and 2000, primarily through townhouse development that included affordable housing units.

Table 3: Units in Structure (1990 and 2000) - Old Tappan, New Jersey

Units in Structure	1990		2000	
	Number	Percent	Number	Percent
Single Family, detached	1,321	97.5	1,433	79.4
Single Family, attached	5	0.4	234	13.0
2	20	1.4	22	1.2
3 or 4	5	0.4	39	2.2
5 to 9	0	0	20	1.1
10 to 19	0	0	17	0.9
20 or more	0	0	39	2.2
Other	4	0.3	0	0
Total	1,355	100.0	1,804	100.0

Source: U.S. Census, 1990 & 2000.

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Table 4: Number of Bedrooms in Housing Units (2000) – Old Tappan, New Jersey

Bedrooms	2000	
	Number	Percent
None	0	0.0
One	53	2.9
Two	144	8.0
Three	705	39.1
Four	650	36.0
Five or More	252	14.0
Total	1,804	100.0

Source: U.S. Census data, 2000

3. Housing Age. The following table provides information on the age of the Borough's housing stock. Approximately one-half of the Borough's dwelling units were constructed prior to 1970. Nearly 30 percent of the total housing stock was constructed between 1990 and 2000.

Table 5: Year Structure Built - Old Tappan, New Jersey

Year Units Built	Number	Percent
1999 to March 2000	34	1.9
1995 to 1998	315	17.5
1990 to 1994	168	9.3
1980 to 1989	179	9.9
1970 to 1979	151	8.4
1960 to 1969	459	25.4
1950 to 1959	304	16.8
1940 to 1949	50	2.8
1939 or earlier	144	8.0
Total	1,804	100.0

Source: U.S. Census data, 2000

4. Housing Conditions. An inventory of the Borough's housing conditions is outlined in the following tables. The first table provides an indication of overcrowded housing units, represented by units containing more than one occupant per room.

Table 6: Occupants per Room (2000) - Old Tappan, New Jersey

Occupants Per Room	Number of Units	Percent
0.50 or less	1,363	76.7
0.51 to 1.00	395	22.2
1.01 to 1.50	20	1.1
1.51 to 2.00	0	0
2.01 or more	0	0
Total	1,778	100.0

Source: U.S. Census data, 2000

Table 7 presents additional detail regarding housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used.

Table 7: Equipment and Plumbing Facilities (2000) - Old Tappan, New Jersey

Facilities	2000	
	Number	Percent
Kitchen:		
With Complete Facilities	1,789	99.2
Lacking Complete Facilities	15	0.8
Plumbing:		
With Complete Facilities	1,794	99.4
Lacking Complete Facilities	10	0.6
Heating Equipment:		
Standard Heating Facilities	1,768	99.4
Other Means, No Fuel Used	10	0.6

Source: 2000 U.S. Census.

5. Purchase and Rental Values. Rental values declined between 1990 and 2000, with the median gross rent falling from \$1,001 to \$940. Additional details are provided below.

Table 8: Gross Rent of Specified Renter-Occupied Housing Units (1990 and 2000) – Old Tappan, New Jersey

Rent	1990		2000	
	Number	Percent	Number	Percent
Less than \$250	4	5.1	6	5.7
\$250 to \$499	4	5.1	21	19.8
\$500 to \$749	11	13.9	17	16.0
\$750 to \$999	5	6.3	10	9.4
\$1,000 or more	48	60.7	42	39.6
No cash rent	7	8.9	10	9.4
Total	79	100.0	106	100.0
Median Gross Rent	\$1,001		\$940	

Source: U.S. Census data, 1990 and 2000.

Conversely, the median values of owner-occupied units increased by nearly one-quarter between 1990 and 2000, from \$356,200 to \$436,900. This number has increased significantly since 2000, with the 2005 estimated median house/condominium value¹ at \$813,600. Additional information regarding owner-occupied housing value is provided on Table 9.

¹ www.city-info-online.com/city-Old%20Tappan-New%20Jersey.html

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Table 9: Value of Specified Owner-Occupied Housing Units (1990 and 2000) - Old Tappan, New Jersey

Value Range	1990	Value Range	2000
Less than \$75,000	9	Less than \$100,000	14
\$75,000 to \$99,999	0		
\$100,000 to \$124,999	5	\$100,000 to \$149,999	4
\$125,000 to \$149,999	31		
\$150,000 to \$174,999	29	\$150,000 to \$199,999	22
\$175,000 to \$199,999	61		
\$200,000 to \$249,999	131	\$200,000 to \$299,999	233
\$250,000 to \$299,999	164		
\$300,000 to \$399,999	266	\$300,000 to \$399,000	369
\$400,000 to \$499,999	176	\$400,000 to \$499,000	348
\$500,000 or more	287	\$500,000 to \$750,000	352
		\$750,000 to \$999,999	74
		\$1,000,000 or more	125
TOTAL	1,159	TOTAL	1,541
1990 Median Value	\$356,200	2000 Median Value	\$436,900

Source: U.S. Census data, 1990 and 2000

6. Number of Units Affordable to Low- and Moderate-Income Households. According to COAH's regional income limits, the median household income for a three-person household in the Region 1, the Borough's housing region comprising Bergen, Passaic, Hudson and Sussex Counties, is \$69,365. A three-person moderate-income household, established at 80 percent of the median income or lower, would have an income of \$55,492 or less.

An affordable sales price for a three person moderate-income household earning 80 percent of the median income is estimated at approximately \$150,000. This estimate is based on the UHAC affordability controls outlined in N.J.A.C. 5:80-26.1. According to Census data, 18 of the Borough's housing units were valued at less than \$150,000 in 2000.

For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at \$1,340. More than one-half of the Borough's rental units in 2000 had a gross rent below \$1000.

7. Substandard Housing Capable of Being Rehabilitated. COAH provides a number of units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation." Old Tappan has been assigned a seven unit rehabilitation share. This item is further explained in the Fair Share Plan section of this document.

C. PROJECTION OF MUNICIPAL HOUSING STOCK

The Fair Share Plan section of this document will include a detailed projection of the municipal housing stock, pursuant to COAH's rules for establishing the "growth share" component of the fair share obligation. This section will also identify historical and projected growth trends.

D. POPULATION ANALYSIS

The MLUL requires that the housing element provide data on the municipality's population, including population size, age and income characteristics.

1. Population Size. The Borough's population experienced the most dramatic growth in the 1950s and 1960s. Substantial growth was also experienced throughout the 1990s. In 2000, the Borough population was 5,482. The U.S. Census Bureau estimates the 2007 population at 6,027. Table 10 outlines population growth in the Borough.

Table 10: Population Growth - Old Tappan, New Jersey

Year	Population	Change(#)	Change (%)
1900	269	--	--
1910	305	36	13.4
1920	404	99	32.5
1930	600	196	48.5
1940	609	9	1.5
1950	828	219	36.0
1960	2,330	1,502	181.4
1970	3,917	1,587	68.1
1980	4,168	251	6.4
1990	4,254	86	2.0
2000	5,482	1,228	28.9
2007 (est.)	6,027	545	9.9

Source: 2003 Bergen County Data Book and N.J. Department of Labor website

2. Age Characteristics. The Borough's age characteristics are outlined in the table below. At the 2000 U.S. Census, 22.1 percent of the population was under 15 years old, while 14.6 percent of the population was 65 years of age or older. The 2000 median age of Borough residents was nearly 41 years of age, slightly higher than the Bergen County median age of 39.1 years.

Table 11: Age Characteristics (2000) - Old Tappan, New Jersey

Age Group	Total	% Total
Under 5	346	6.3
5-9	422	7.7
10-14	445	8.1
15-19	387	7.1
20-24	200	3.6
25-29	162	3.0
30-34	251	4.6
35-39	423	7.7
40-44	494	9.0
45-49	487	8.9
50-54	431	7.9
55-59	378	6.9
60-64	258	4.7
65-69	235	4.3
70-74	220	4.0
75-79	126	2.3
80-84	107	2.0
85 and over	110	2.0
Total	5,482	100.0
Median Age	41.0	

Source: U.S. Census data, 2000

3. Average Household Size. The average household size for the Borough decreased from 3.51 persons per household in 1980 to 3.02 persons per household in 2000.

Table 12: Average Household Size (1980-2000) - Old Tappan, New Jersey

Year	Borough Population	Household Population	Total Households	Average Household Size
1980	4,168	4,126	1,177	3.51
1990	4,254	4,211	1,303	3.23
2000	5,482	5,364	1,778	3.02

Source: 2003 Bergen County Data Book.

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4. Household Income. The median household income for Old Tappan households increased 35 percent between 1990 and 2000, from \$75,372 to \$102,127. Detailed household income figures are provided in the table below.

Table 13: Household Income Distribution (1989 and 1999) - Old Tappan, New Jersey

Income Category	1989		1999	
	Number	Percent	Number	Percent
Less than \$10,000	37	2.9	36	2.0
\$10,000 to \$14,999	37	2.9	39	2.2
\$15,000 to \$24,999	49	3.8	32	1.8
\$25,000 to \$34,999	58	4.5	62	3.5
\$35,000 to \$49,999	122	9.5	141	7.9
\$50,000 to \$74,999	332	25.9	264	14.8
\$75,000 to \$99,999	253	19.8	292	16.4
\$100,000 to \$149,999	218	17.0	405	22.7
\$150,000 or more	175	13.7	512	28.7
Total	1,281	100.0	1,783	100.0
Median	\$75,372		\$102,127	

Source: U.S. Census data, 1990 and 2000

E. EMPLOYMENT ANALYSIS

The MLUL requires that the housing plan include data on employment levels in the community. The following tables present information on the jobs located within the Borough.

1. Covered Employment. The following table provides information on private sector covered employment within the Borough. In 2003, there were 1,370 private sector jobs within the Borough.

Table 14: Covered Employment Trends (Private Sector), Selected Years - Old Tappan, New Jersey

Year	Number of Jobs
1997	1,275
1998	1,692
1999	1,291
2003	1,370

Source: State of New Jersey Department of Labor.

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of employed Old Tappan residents. The first table details occupation characteristics, while the second table details industry characteristics.

Table 15: Employed Residents Age 16 and Over, By Occupation (2000) - Old Tappan, New Jersey

Occupation	Number	Percent
Management, professional, and related occupations	1,389	54.9
Service occupations	188	7.4
Sales and office occupations	775	30.6
Farming, fishing, and forestry occupations	0	0.0
Construction, extraction, and maintenance occupations	86	3.4
Production, transportation, and material moving occupations	92	3.6
Total	2,530	100.0

Source: U.S. Census data, 2000

Table 16: Employed Residents Age 16 and Over, By Industry (2000) - Old Tappan, New Jersey

Industry	Number	Percent
Agriculture, Forestry, Fisheries & Mining	9	0.4
Construction	95	3.8
Manufacturing	233	9.2
Transportation and warehousing, and utilities	119	4.7
Wholesale Trade	233	9.2
Retail Trade	290	11.5
Information	154	6.1
Finance, Insurance, & Real Estate	259	10.2
Education, health and social services	539	21.3
Arts, entertainment & Recreational Services	133	5.3
Professional & Related Services	338	13.4
Public Administration	48	1.9
Other Services	80	3.2
Total	2,530	100.0

Source: U.S. Census data, 2000

SECTION II: FAIR SHARE OBLIGATION

A. INTRODUCTION

The methodology for determining the Borough's Third Round affordable housing obligation changed significantly from the Prior Round regulations. Under COAH's Third Round rules, a municipality's Third Round affordable housing obligation is a function of three components:

1. Rehabilitation Share
2. Remaining Prior Round Obligation
3. Growth Share

The growth share component represents the most significant change from the prior round, as it requires that each municipality determine its own affordable housing obligation based on the amount of residential and non-residential growth anticipated over the Third Round period from 2004 to 2018. Each of the three components is combined to determine the municipality's total affordable housing obligation. More detail on each component is provided below.

1. Rehabilitation Share. The rehabilitation share component of the affordable housing obligation is based on the municipality's existing housing deficiencies. Rehabilitation share is defined as "the number of deficient housing units occupied by low and moderate income households within a municipality." A "deficient housing unit" is "a unit with health and safety code violations that require the repair or replacement of a major system." A major system includes any of the following: weatherization, roofing, plumbing, heating, electricity, sanitary plumbing, lead paint abatement and/or load-bearing structural systems.

A municipality has two options for determining the rehabilitation share component of its fair share obligation. The first option is to use the rehabilitation share number assigned by COAH to the municipality. COAH devised a methodology using 2000 U.S. Census data to estimate the number of low- and moderate-income deficient housing units within each municipality. The methodology is based on regional averages that are then applied to local conditions. It adjusts for potential double counting, incorporates credits for municipalities which have been "increasingly impacted" by the rehabilitation share, and accounts for the portion of units likely to experience spontaneous rehabilitation, i.e., those likely to rehabilitate through private forces. Alternatively, a municipality can conduct its own housing survey to develop an actual rehabilitation share.

Characteristics indicating a need for rehabilitation are as follows:

- a. Persons Per Room: 1.01 or more persons per room in housing units built 1939 or before.
- b. Plumbing Facilities: Inadequate plumbing sufficient for rehabilitation as indicated by a lack of hot and cold piped water, a flushing toilet, or a bathtub/shower.
- c. Kitchen Facilities: Inadequacy indicated by non-presence of kitchen facilities within unit or non-presence of one of three components, including a sink with piped water, a stove or refrigerator.

Referring to Table 7, the number of dwelling units lacking complete kitchen facilities totals 15. Ten (10) units were indicated to lack complete plumbing facilities and 10 units were indicated to lack standard heating facilities. Regarding overcrowding, Table 6 indicates that 20 units, roughly one percent of the total dwelling units in the Borough, had 1.01 or more persons per room. No dwelling units were indicated to have more than 1.5 persons per room. There is no information regarding the age of these dwelling units. Based on our assessment of the existing development patterns and the “teardowns” of older residential structures being replaced by newer single-family residential units, we content that Old Tappan should have a zero unit rehabilitation obligation given that many single-family residential units have been replaced during the years since the 2000 Census, which provides the basis for the rehabilitation obligation.

The Borough will conduct its own survey of units to determine if the rehabilitation number is accurate. The survey will be provided under separate cover as an addendum to the Housing Element and Fair Share Plan.

2. Remaining Prior Round Obligation. Prior Round Obligation is comprised of the prior rounds of prospective need (Rounds 1 and 2) and the reallocated present need from Round 2. Since COAH used U.S. Census data to adjust previously published first- and second-round obligation numbers in order to correct for under/overestimates, it has provided each municipality with a new Prior Round obligation number in its revised Third Round rules. Old Tappan’s Prior Round obligation new construction number is 98 units.

A municipality then determines the remaining Prior Round obligation component of its Third Round obligation by imposing any adjustments approved for its second round plan and subtracting affordable housing units already built as part of a certified plan. As detailed in this report, Old Tappan generated a number of units in the Prior Round to receive 101 credits, three more than required to fulfill its Prior Round obligation.

3. Growth Share. The growth share portion of a municipality’s fair share obligation is based on the projected residential and employment growth in the municipality over the period between 2004 and 2018. Growth share is defined as:

“The affordable housing obligation generated in each municipality by both residential and non-residential development from 2004 through 2018 and represented by a ratio of one affordable housing unit for every four market-rate housing units constructed plus one affordable housing unit for every 16 newly created jobs as measured by new or expanded non-residential construction within the municipality.”

Each individual municipality's actual growth between 2004 and 2018 generates an affordable housing obligation. Residential development generates an obligation of one affordable housing unit for every four market rate residential units constructed in the municipality. Non-residential development generates one affordable housing unit for every 16 jobs created in the municipality. Job creation estimates are based on the amount of new non-residential square footage developed within the municipality.

For example, if the municipality experiences a net growth of 100 market rate units between 2004 and 2018, an obligation of 20 affordable housing units is created. If 25,000 square feet of additional office space is constructed in the municipality, 67.5 jobs are projected based on a ratio of 2.7 office jobs per 1,000 square feet of office floor area. A 4.2 unit affordable housing obligation would result from the non-residential development.

The following section contains development projections and a determination of the growth share assessment for the Third Round obligation.

B. CALCULATION OF AFFORDABLE HOUSING OBLIGATION

The calculation of the Borough's affordable housing obligation is detailed below.

1. Rehabilitation Share. Per the Third Round rules, Appendix B, the Borough has a rehabilitation share of seven units. This is the first time the Borough has a rehabilitation obligation, since neither the Prior Round obligation nor the initial Third Round obligation included a rehabilitation obligation. It is the Borough's position that the 2000 Census numbers regarding units qualifying for rehabilitation does not reflect the number of units that have been demolished and replaced with new single-family residential units, a one-for-one swap. A survey of units will be provided. The Borough should have a zero unit rehabilitation obligation.
2. Remaining Prior Round Obligation. Appendix C indicates a recalculated prior round new construction obligation of 98 units. The Borough's Prior Round certified plan addressed its 98 unit obligation entirely through new construction credits, Regional Contribution Agreements (RCA), and bonuses for affordable housing units constructed or under construction at the time that the Borough petitioned COAH for substantive certification.

The table below details the plan components, and the eligible/creditable units under the Prior Round rules.

Table 17: Prior Round Plan Components and Status - Old Tappan, New Jersey

Plan Component	Units	Status
Winding Creek	8 units 8 rental bonus credits	Completed
Villages at Wood's Edge	9 units	Completed
Foxwood Estates	6 units	Completed
Dorotockey's Run	8 units 8 rental bonus credits	Completed
Russell Avenue Senior Rental Housing	29 units 4 Sr. rental bonus credits	Completed 29 eligible credits 4 eligible credits
RCA with Jersey City Foxwood Estates 7 units Woods Edge 14 units	21 units	Completed

- a. Credits, Reductions and Adjustments Regarding Prior Round Obligation. The Borough seeks credits, reductions and adjustments as detailed in the following sections.
- i. Credits. Third Round rules permit credits for units that were constructed (i.e. received certificates of occupancy), rehabilitated subsequent to April 1, 2000 (i.e. received final inspections after 4/1/00), or transferred to another municipality as the subject of a regional contribution agreement (RCA). The Borough has received credit for 101 units as shown in the following table:

Table 18: Prior Round Credits - Old Tappan, New Jersey

Component	Credits
Russell Ave Senior Housing	29 units 4 bonus credits
RCA	21 units
Winding Creek	8 units 8 bonus credits
Dorotockey's Run	8 units 8 bonus credits
Villages at Woods Edge	9 units
Foxwood Estates	6 units
Total	101 units (including 3 surplus credits)

- ii. Reductions. Reductions from the Prior Round obligation are permitted for unbuilt sites that were zoned for affordable housing as part of the certified second round plan. Reductions are subject to COAH review and sites must continue to present a realistic opportunity for the construction of affordable housing. The Borough does not seek any reductions.

- iii. Adjustments. COAH honors adjustments granted as part of a Prior Round certified plan, including vacant land adjustments. The Borough did not seek any adjustments to its Fair Share obligation in the Prior Round.
- b. Calculation of Remaining Prior Round Obligation. The Borough's remaining Prior Round obligation is represented in the table below.

Table 19: Remaining Prior Round Obligation - Old Tappan, New Jersey

2nd Round Obligation	Units
Recalculated Obligation	98
Credits	101
Reductions	0
Adjustments	0
Remaining Prior Round Obligation	3 <i>surplus credits</i>

- c. Excess/Surplus Credits. Excess credits represent units from a certified Prior Round plan that were not eligible for credit due to caps on RCA units and age-restricted units. Surplus credits are eligible credits that exceed the Prior Round obligation. As shown in the tables above, the Borough has three units of surplus credits to be applied toward addressing the Third Round obligation.
3. Growth Share. The growth share component of the Borough's affordable housing obligation is calculated based on the projected amount of residential and non-residential growth anticipated between 2004 and 2018. This projection involves a number of steps, including the formulation of a baseline projection that must ultimately be reconciled with the detailed projection resulting from an analysis of approved, pending and anticipated development applications.

Once the detailed analysis is complete and reconciled with the baseline projections, this growth is translated into an affordable housing obligation, based on a standard of one affordable housing unit for every four market rate units that are built and every 16 jobs that are created. Job creation is directly tied to the amount of non-residential floor space constructed.

The following growth share calculation is presented below, separated into residential growth and non-residential growth categories.

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a. Calculation of Residential Growth Share.

- i. Baseline Residential Growth Projection. The baseline growth projection for residential development is set forth in Appendix F of N.J.A.C. 5:97, as outlined in the June 16, 2008 proposed rule amendments. The projection suggests that the Borough's residential growth shall consist of 356 dwelling units between the years 2004 and 2018. COAH determines this translates into a residential growth share of 71 units.

Table 20: Residential Growth Estimates (2004 – 2018) - Old Tappan, New Jersey

2018 Residential Unit Estimate	-	2004 Household Estimate	=	Household Growth
2,165		1,809		356

Source: N.J.A.C. 5:97, Appendix F, June 16, 2008 proposed rule amendments

- ii. Actual Growth Projection. COAH permits municipalities to conduct a detailed analysis of historical trends, pending and approved development applications, and other local knowledge to generate a growth projection for the community. This projection will be compared to their estimated projection. The actual projection is determined through a series of steps and analyses, as shown below.

Historical Trends in Residential Development. Data for the years 1995 through 2008 year to date is presented in order to determine the Borough's historical residential growth trends and to determine actual growth since 2004, as evidenced by Certificates of Occupancy (COs) and demolition permits issued. Historical trends will be used to project residential growth in years to come.

Table 21: Historical Trends in Residential Development, Analysis of COs and Demolition Permits, 1995-2008 YTD - Old Tappan, New Jersey

	'95	'96	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08* YTD
COs Issued	55	26	63	50	36	11	8	20	0	6	37	20	19	2
Demo Permits Issued	0	2	1	1	3	6	4	6	6	18	33	25	11	3
Net Growth	55	24	62	49	33	5	4	14	-6	-12	4	-5	8	-1

* Through April 2008

Source: NJ DCA, The NJ Construction Reporter: <http://www.state.nj.us/dca/codes/cr/conrep.shtml>

From 1995 through 1999, the Borough experienced significant growth netting 223 dwelling units during that period, which includes developments with affordable housing units to address the Prior Round obligation. Since 2004, the Borough has experienced virtually zero residential growth, reflecting the limited availability of vacant developable land. In addition, the 84 residential COs issued since 2004 are less than the 90 demolition permits issued during the same time period. Residential development in the Borough has been primarily the tearing down of older single-family residential dwellings being replaced with newer single-family residential dwellings, a one-for-one exchange.

Projected Residential Development. COAH requires that residential development be projected through 2018. This analysis involves the documentation of residential projects that have been approved but have not yet received COs, pending residential development applications, and anticipated residential development. The analysis requires that the plan estimate the year in which the CO will likely be granted. The table below details the approved and pending residential development projections.

Table 22: Number of Residential Units by Year of Anticipated CO – Approved and Pending Residential Development Applications, Old Tappan, New Jersey

Approved Projects	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	Total
Care One S/D	0	1	1	1	0	0	0	0	0	0	0	3
Talsa S/D	0	1	0	0	0	0	0	0	0	0	0	1
Equinox Estates S/D	0	1	1	1	1	1	0	0	0	0	0	5
Unger S/D	0	1	0	0	0	0	0	0	0	0	0	1
Spagnuolo Griffin S/D	0	1	1	0	0	0	0	0	0	0	0	1
Subtotal	0	5	3	2	1	1	0	0	0	0	0	12
Pending Projects	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	Total
Subtotal (Zero)	0	0	0	0	0	0	0	0	0	0	0	0
Apprvd/Pndng Total	0	5	3	2	1	1	0	0	0	0	0	12

Anticipated development is that which will likely occur before 2018, based on site-specific analysis of remaining developable parcels and local knowledge. This analysis includes an estimate of other projected development, based in part on historical growth trends. The analysis of anticipated development applications is based on existing vacant sites that are expected to be developed for residential use before 2018. Yield calculations are based on existing zoning and other features that impact the intensity of development, such as the presence of environmental features, etc.

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The following table summarizes all projected residential growth, based on the above analysis as well as an additional item labeled "Other" in the table. This is based in part on the historical growth rates identified previously. This table also includes a net growth projection wherein projected demolitions are subtracted from anticipated COs.

Table 23: Net Number of Residential Units by Year of Anticipated CO/Demolition, All Residential Development - Old Tappan, New Jersey

	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	Total
COs												
Approved	0	5	3	2	1	1	0	0	0	0	0	12
Pending	0	0	0	0	0	0	0	0	0	0	0	0
Anticipated	0	2	2	3	3	3	3	3	3	3	3	28
Other	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal	0	7	5	5	4	4	3	3	3	3	3	40
Demo Permits	0	6	4	3	3	3	3	3	2	3	2	32
Total (net)	0	1	1	2	1	1	0	0	1	0	1	8

Table 24 includes actual data from 2006 through part of 2008, representing the total actual and projected residential growth expected for the Third Round period.

Table 24: Total Net Number of Residential Units by Year, Actual and Projected - Old Tappan, New Jersey

	Actual					Projected											Total
	'04	'05	'06	'07	'08* YTD	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	
COs	6	37	20	19	2	0	7	5	5	4	4	3	3	3	3	3	124
Demo Permits	18	33	25	11	3	0	6	4	3	3	3	3	3	2	3	2	122
Net Growth	-12	4	-5	8	-1	0	1	1	2	1	1	0	0	1	0	1	2

* Through April 2008 Source: NJ DCA, The NJ Construction Reporter:
<http://www.state.nj.us/dca/codes/cr/conrep.shtml>

- iii. Comparison: COAH Projection and Actual Projection. COAH's household growth projection of 356 units is not likely to occur given the development patterns of the last several years, projected development, and lack of available vacant land not constrained by environmental regulations. When demolitions are considered, historic growth is even lower. Our vacant land analysis indicates that future growth will be constrained by the developed nature of the Borough and lack of buildable vacant land.

N.J.A.C. 5:97-2.5, as proposed by COAH on September 22, 2008, allows certificates of occupancy issued for certain owner-occupied structures to be subtracted from growth for the purpose of determining the growth share obligation. The subtraction is limited to residential structures that have been occupied by the current owner for at least one year prior to the demolition, where no change in use has occurred. Redevelopment, rental properties, previously vacant properties and properties with a change in use or intensity of use, among other categories, would continue to generate a growth share obligation under the proposal.

Per the 2000 U.S. Census data, 94 percent of housing units in Old Tappan are owner-occupied, reflecting the overwhelming development pattern of single-family residential development. From 2004 through the present, there have been seven more demolitions than residential units constructed, reflecting teardowns of older single-family housing stock being replaced with more modern single-family housing units. For the purposes of determining residential growth share obligation, we are subtracting owner-occupied residential structures that have been recorded as demolished during this time period, not to go lower than zero units.

- iv. Determining the Residential Growth Share. In this step, the projected growth is adjusted based on that portion of the projection that includes affordable units that are to be constructed in accordance with the second round certified plan. All affordable housing units and a portion of any market rate units that are part of an inclusionary development may be excluded. Market rate units in an inclusionary development may be excluded at a rate of four times the number of affordable units constructed on-site. Since the Borough has satisfied its Prior Round obligation before 2004, no Prior Round units are included in the Borough's Growth Share calculation.

Using the COAH Workbook C calculator, we have estimated the projected residential growth. Both the Workbook C calculator and the vacant land map are included in this report as appendices. Based on the historical growth and the available vacant land that is not environmentally constrained, we estimate a residential growth share of 15.36 units between 2004 through 2018.

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b. Calculation of Non-Residential Growth Share

- i. COAH Growth Projection. COAH projects that Old Tappan will add 314 jobs between 2004 and 2018. This is detailed in the following table.

Table 25: Non-Residential Growth Estimates (2004 – 2018) - Old Tappan, New Jersey

2018 Employment Estimate	-	2004 Employment Estimate	=	Household Growth
2,095		1,781		314

Source: N.J.A.C. 5:97, Appendix F, June 16, 2008 proposed rule amendments

- ii. Actual Growth Projection. Like the residential growth share analysis, COAH permits a municipality to prepare a detailed analysis of historical trends, pending and approved development applications, and other local knowledge to generate an actual non-residential growth projection for the Borough, which is compared to COAH's projection. The detailed projection is determined through a series of similar steps and analyses, as shown below.

Historical Trends in Non-Residential Development. In this step, historical data for the years 1995-2008 YTD is shown. This data establishes the Borough's historical non-residential growth trends and provides actual growth figures for year-to-date 2008. As with the residential analysis, growth is indicated by certificates of occupancy issued. There is no specific square footage information available for demolition permits. Historical trends are utilized in a subsequent stage to help predict non-residential growth. The table presents this information based on the total square footage by type of non-residential development (i.e. office, retail, etc.).

Table 26: Historical Trends in Non-Residential Development, Analysis of COs, Square Footage by Use Type - Old Tappan, New Jersey

	'95	'96	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08* YTD
Certificates of Occupancy Issued (sf)														
Office	0	0	10,700	0	0	0	8,137	736	0	1,815	0	0	13,217	0
Asmby (A-3)	8,294	0	0	2,928	3,080	0	0	0	0	0	0	0	0	0
Institutional	0	0	54,350	0	0	0	0	0	0	0	0	0	0	0
Education	0	0	0	0	0	47,587	0	0	0	0	30,070	0	0	0
Mercantile			0	0	0	0	0	0	0	0	0	580	0	10,030
Utility/Misc			0	0	0	0	0	0	0	0	0	0	5,550	0
Demolition Permits Issued (sf)														4,479

* Through April 2008 Source: NJ DCA, The NJ Construction Reporter:
<http://www.state.nj.us/dca/codes/cr/conrep.shtml>

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The data for 2004 through YTD 2008 is translated into employment growth, based on the multipliers provided in Appendix E of the Substantive Rules. This is shown in the table below.

Table 27: Actual Non-Residential Growth Share, 2004-2008 YTD - Old Tappan, New Jersey

	Net Sq. Footage	Jobs per 1,000 SF	Total Jobs
Certificates of Occupancy			
Office (B)	15,032	2.8	42.09
Mercantile (M)	6,131	1.7	10.42
Education (E)	30,070	EXCLUDED	--
Utility / Misc (U)	5,550	EXCLUDED	--
Total			53

Source: N.J.A.C. 5:97, Appendix D, June 2, 2008 adopted rules

Anticipated Non-Residential Development. COAH requires that non-residential development be projected to 2018. This analysis involves the identification of all prospective non-residential projects, including those approved but not receiving COs, any pending non-residential development applications, and anticipated residential development. Anticipated development is that which will likely occur before the end of 2018, based on site-specific analysis of remaining developable parcels. This analysis includes an estimate of other projected non-residential development, based in part on historical growth trends. Based on the lack of vacant land available in non-residential areas, no further increase in jobs is projected.

Table 28: Projected Non-Residential Square Footage/Jobs, by Year of Anticipated CO Approved and Pending Development Applications - Old Tappan, New Jersey

Approved Projects	2008	2009	2010	2011	2012	2013	2014	2015	2016	17-18	Total
Parmigianos	10,030	0	0	0	0	0	0	0	0	0	10,030
M Mercantile: 10,030 sf											
<i>Subtotal: Jobs</i>	17.05	0	0	0	0	0	0	0	0	0	17.05
Pending Projects	2008	2009	2010	2011	2012	2013	2014	2015	2016	17-18	Total
NONE	0	0	0	0	0	0	0	0	0	0	0
<i>Subtotal: Jobs</i>	0	0	0	0	0	0	0	0	0	0	0
Total Jobs	17.05	0	0	0	0	0	0	0	0	0	17.05

The following table projects the job losses associated with projected non-residential demolitions.

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**Table 29: Projected Job Loss Associated with Non-Residential Demolitions by Year –
Square Footage and Jobs
Old Tappan, New Jersey**

Project Site	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017-18	Total
Parmigianios Restaurant M Mercantile: 4,479 sf	4,479	0	0	0	0	0	0	0	0	0	4,479
Total Projected Job Loss	7.61	0	0	0	0	0	0	0	0	0	7.61

The following table details the net projected employment growth based on all the above projections, including approved, pending and anticipated development applications, as well as projected job loss associated with anticipated demolitions.

**Table 30: Net Projected Employment Growth – All Development and Demolitions
Old Tappan, New Jersey**

Block Lot/Site	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Approved	17.05	0	0	0	0	0	0	0	0	0	17.05
Pending	0	0	0	0	0	0	0	0	0	0	0
Anticipated	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Subtotal	17.05	0	0	0	0	0	0	0	0	0	17.05
Demolitions	7.61	0	0	0	0	0	0	0	0	0	7.61
Total (net)	9.44	0	0	0	0	0	0	0	0	0	9.44

Actual data from 2006 through YTD 2008 is added to the table below to provide a complete non-residential growth projection for the third round period.

**Table 31: Total Net Employment Growth – Actual and Projected
Old Tappan, New Jersey**

	Actual			Projected										Totals
	2006	2007	2008 YTD	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017-2018	
COs	0	0	17.05	0	0	0	0	0	0	0	0	0	0	17.05
Demolitions	0	0	7.61	0	0	0	0	0	0	0	0	0	0	7.61
Net Growth	0	0	9.44	0	0	0	0	0	0	0	0	0	0	9.44

- iii. Comparison: COAH Projection and Actual Projection. If the actual projection is greater than or equal to the COAH projection, the actual projection has an automatic presumption of validity. If this projection is less than COAH's, COAH may deny substantive certification unless the validity of the alternate projection can be affirmatively established.

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- iv. Determining the Non-Residential Growth Share. The non-residential growth share obligation is determined by dividing the Final Net Employment Growth projections by 16, based on the requirement that one affordable unit be constructed for every 16 jobs created. The total projected non-residential growth share is 53 jobs or 3.28 units.
- c. Total Growth Share Obligation: Residential and Non-Residential Development. The complete growth share projection represents the Borough's estimate of growth share affordable housing obligation for the Third Round period. The total residential growth share is 15.36 units and the non-residential growth share is 3.28 units, for new construction obligation of 18.64, rounding the total upward to 19 units.
4. Total Fair Share Obligation. As indicated previously, the total fair share obligation is the sum of the zero rehabilitation share claimed based on the number of units actually qualifying for rehabilitation, remaining prior round obligation credits carried forward to the Third Round, and the growth share. Old Tappan has a total fair share obligation of nine units, as allocated on the following table.

**Table 32: Total Fair Share Obligation
Old Tappan, New Jersey**

Component	Obligation
Rehabilitation Share	<i>0</i>
Remaining Prior Round Obligation	<i>3 units credit</i>
Growth Share	<i>19</i>
Total Fair Share Obligation	16

SECTION III: FAIR SHARE PLAN

A. PLAN SUMMARY

This section of the plan details the projects, mechanisms and funding sources which will be used to meet the Borough's affordable housing obligation. The Borough has satisfied the entirety of its Prior Round obligation, as detailed previously, and carries three surplus credits to be applied to the Third Round obligation.

The Borough has a growth share obligation of 19 units. This obligation was calculated in Appendix D of N.J.A.C. 5:97, based on projected residential and non-residential growth in the community from 2004 through 2018. The following is noted with respect to the growth share:

1. Age Restricted Units. The Borough may age restrict no more than 25 percent of the affordable units provided within the community, or four units.
2. Rental Component and Bonus Credits. COAH regulations stipulate that at least 25 percent, or five units, of a municipality's growth share obligation must be addressed with rental housing. Third Round rules provide for a 2:1 rental bonus credit for rental units constructed in excess of the rental obligation identified above. No more than 50 percent of the rental obligation can be classified as age-restricted housing.
3. Family Housing. At least 50 percent, or 10 units, of the new construction affordable housing obligation must be considered "family housing," that is available to all who meet the specific income guidelines.
4. Maximum Bonus Credits. No more than 25 percent of the growth share obligation, or four units, may be satisfied using bonus credits.

B. OVERALL PLAN COMPONENTS

1. Prior Round Obligation. As noted in this report, the Borough satisfied its Prior Round obligation. Three units credit that were generated from Prior Round affordable units are to be used toward satisfying the Third Round obligation.
2. Rehabilitation Obligation. The Borough takes the position that the 2000 Census data used to determine rehabilitation obligation does not consider the number of single-family residential units that have been torn down and replaced with new single-family residential units. Therefore, the Borough should have a zero unit rehabilitation obligation, consistent with its rehabilitation obligation for the Prior Round. A survey will be taken and provided under separate cover as an amendment to this Housing Element.

3. Growth Share Obligation. The Borough has a growth share obligation of 19 units. This was calculated in Section II of this plan based on projected residential and non-residential growth in Old Tappan.

C. THIRD ROUND PLAN COMPONENTS

1. Prior Round Excess Credits (3 units). Three units in excess of the Borough's Prior Round obligation are to be allocated for the Third Round obligation.
2. Remaining Third Round Obligation (16 units). The Borough has a limited number of options in which to address its new construction obligation. It is recommended that Old Tappan consider acquiring property to develop 100 percent affordable housing developments rather than relying on inclusionary developments to address the affordable housing obligation. The current rules indicate that market rate units within inclusionary developments generate their own affordable housing obligation. Consequently, they no longer can be relied upon to address a municipality's affordable housing obligation as defined by COAH. Furthermore, our vacant land analysis indicates limited opportunities to develop inclusionary developments large enough to generate a significant number of affordable units to address the affordable housing obligation in an efficient manner. In order to finance the cost, the Borough will have to use development fee revenue, where available, or have to commit to bond for those costs where other funding sources are not available.

The first acquisition option, referred to as "Site No. 1," involves a 0.76 acre property located on Russell Avenue surrounded on three sides by the Old Tappan Senior Housing Development. If a 12 unit 100 percent rental affordable building is developed, these units, no more than four of which may be age-restricted, would generate a total of 16 credits. COAH obligations provide that any rental units provided after the rental obligation is met (at least 25 percent of growth share, or three units in this case) are entitled to a 2:1 rental bonus. This development would receive an additional three rental bonus credits. At Site No. 1, nine units equal a lot density of approximately 15.8 units per acre. When adding this lot to the entire senior housing site, the combined 41 units represents a lot density of 10.5 units per acre.

In the event Site No. 1 is not available for acquisition, the vacant land map indicates other potential sites within the Borough that may be able to address the obligation through a 100 percent affordable housing development, but lack sufficient size to merit an inclusionary development. It may not be necessary to utilize any of these sites, but if another site is required the vacant land map cites potential options for the Borough to consider. Any Plan should provide for at least 19 units, inclusive of prior round credits and any rental bonus credits the Borough may be entitled to per COAH regulations. We note that no vacant developable properties indicated on the enclosed vacant map are owned by the Borough as of this date.

3. Rental Component and Bonus Credits. COAH regulations stipulate that at least 25 percent of a municipality's growth share obligation must be addressed with rental units. Old Tappan must provide at least four rental units.
4. Low- and Moderate-Income Split. COAH requires affordable units be split evenly between low- and moderate-income households. Additionally, 13 percent of the total number of units must be set aside for very-low income households.
5. Unmet Need. An "unmet need" component that is designed to address the difference between the Borough's adjusted assessment of its ability to address its affordable housing need based on its lack of developable land (19 units) and COAH's projection of 91 units for the Third Round obligation. This plan can provide for an obligatory overlay requirement throughout the Borough mandating that whenever a developer proposes at least five units on a site, 20 percent of the total number of units must be set aside for income qualified households.
6. Development Fees. The Borough should adjust its development fee ordinance to collect fees as permitted by COAH's Third Round rules. The funds generated by the collection of development fees will be applied directly toward the implementation of the Borough's Fair Share Plan, including spending at least 30 percent of funds for affordability assistance.

Development fees of up to 1.5 percent of the equalized assessed value may be collected on residential development, while 2.5 percent of the equalized assessed value may be collected on non-residential development. Additional residential units resulting from a "d" variance and additional non-residential floor area resulting from a "d" variance will be subject to a six percent development fee based on equalized assessed value.

D. PLAN DOCUMENTS

The appendices include the ordinances and resolutions related to the implementation of the Third Round Plan. In addition, maps and vacant land data are included indicating the supporting information for the findings of the Third Round Plan as well as COAH's initial vacant land assessment.

APPENDICES

Borough of Old Tappan Housing Element and Fair Share Plan

A - 1: Changes to Municipal Zoning Ordinances During the Previous Two Years

NO CHANGES DURING PREVIOUS TWO YEARS.

A - 2: Development Fee Ordinance

Borough of Old Tappan Housing Element and Fair Share Plan

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) Old Tappan shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

- ii. **“COAH”** or the **“Council”** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **“Development fee”** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

- a) Imposed fees
 - i. Within the residential zoning districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5 percent of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of 6 percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - iv. Developers of one or two owner-occupied dwelling units, residential structures demolished and replaced as a result of a natural disaster, green buildings etc. shall be exempt from paying a development fee.

5. Non-residential Development fees

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

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- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iii. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - iv. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Old Tappan as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official or designated municipal official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Old Tappan fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

i) Appeal of development fees

- 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Old Tappan. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Old Tappan. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 1. payments in lieu of on-site construction of affordable units;
 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 3. rental income from municipally operated units;
 4. repayments from affordable housing program loans;
 5. recapture funds;
 6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with Old Tappan's affordable housing program.

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- c) Within seven days from the opening of the trust fund account, the Borough of Old Tappan shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Old Tappan's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse Old Tappan for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

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- ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner shall entitle Old Tappan to bonus credits pursuant to N.J.A.C. 5:97-3.7.
- iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Old Tappan may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) Old Tappan shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Old Tappan's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for Old Tappan to impose, collect and expend development fees shall expire with its substantive certification unless Old Tappan has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Old Tappan fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Old Tappan shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Old Tappan retroactively impose a development fee on such a development. Old Tappan shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

Borough of Old Tappan Housing Element and Fair Share Plan

A - 3: Resolution Requesting COAH to Review the Development Fee Ordinance

Borough of Old Tappan Housing Element and Fair Share Plan

WHEREAS, Old Tappan, Bergen County was granted substantive certification by the Council on Affordable Housing (COAH) on *[insert date]*; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d);
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Old Tappan has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Governing Body of Old Tappan, Bergen County requests that COAH review and approve Old Tappan's development fee ordinance.

Jean M. Quinn
Borough Clerk

A - 4: Spending Plan

Spending Plan

INTRODUCTION

The Borough of Old Tappan, Bergen County has a development fee ordinance that was approved by the Council on Affordable Housing (COAH) on *[insert date of approval]*. This spending plan is prepared in accordance with N.J.A.C. 5:94-6.2(c) and 6.5 and includes the following:

1. Projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historic rate of development activity.
2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues.
3. A description of the anticipated use of all development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, pursuant to N.J.A.C. 5:94-6.12, repayment of loans for rehabilitation or affordability assistance, and voluntary contributions.
4. A schedule for the creation and/or rehabilitation of housing units.
5. If the municipality is including a municipally sponsored or 100 percent affordable program, a new construction alternative living arrangement or an affordable housing partnership program, a pro-forma statement of the anticipated costs and revenues associated with the development.
6. The manner in which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.

To date, the Borough of Old Tappan has collected \$170,000 in its affordable housing trust fund. All development fees collected and interest generated by the fees are deposited in a separate interest-bearing account in *[insert name of bank]* for the purposes of affordable housing.

1. PROJECTION OF REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated through the expiration of substantive certification, The Borough of Old Tappan considered the following:

- (a) Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals are anticipated to provide \$ 0 in development fees at issuance of building permits and/or certificates of occupancy during the period of substantive certification.
- (b) All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy are anticipated to provide \$ 0 in development fees during the period of substantive certification.

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- (c) Development projected to begin construction based on historic rates of development is anticipated to provide an additional \$ 400,000 in development fees during the period of substantive certification.
- (d) Payments in lieu of construction from developers pursuant to N.J.A.C. 5:94-4.4(b-e) are anticipated to provide \$ 0 in development fees during the period of substantive certification.
- (e) Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of loans for rehabilitation or affordability assistance, and voluntary contributions are anticipated to provide \$ 0 in fees during the period of substantive certification.
- (f) Interest on the projected revenue in the housing trust fund at the current average interest rate is anticipated to provide \$60,000 to accrue to the affordable housing trust fund during the period of substantive certification.

The Borough of Old Tappan projects a total of \$ 460,000 in revenue to be collected between *December 31, 2008* and the expiration of substantive certification. When the total revenue projected of \$ 460,000 is added to the amount collected to date of \$170,000, a total of \$ 630,000 will be collected prior to the expiration of substantive certification. All development fees, payments in lieu of construction and other funds listed above will be deposited in a separate interest-bearing account in *[insert name of bank]* and all interest earned on the account will accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues will be followed by the Borough of Old Tappan:

- (a) Collection of development fee revenues:
The planning board secretary notifies the *[insert title of designated municipal official]* whenever preliminary, final or other applicable approval is granted for a development which is subject to a development fee.

When a request is made for a building permit, the *[insert title of designated municipal official]* determines if the project is subject to the imposition of a mandatory development fee.

Borough of Old Tappan Housing Element and Fair Share Plan

If so, the *[insert title of designated municipal official]* will notify the Borough tax assessor to calculate the approximate value of the project and set the fee based on:

For residential fees: the equalized assessed value

For non-residential fees: the equalized assessed value

The developer will pay up to 50 percent of the estimated development fee to the *[insert title of designated municipal official]* at the time the building permit is issued. The funds are then forwarded to the *[insert title of designated municipal official]* and deposited in the affordable housing trust fund.

The balance of the development fee will be paid by the developer to the *[insert title of designated municipal official]* at the issuance of the certificate of occupancy. The funds are then forwarded to the Borough Treasurer and deposited in the affordable housing trust fund.

(b) Distribution of development fee revenues:

The Affordable Housing Board adopts and forwards a resolution to the governing body recommending the expenditure of development fee revenues as set forth in this spending plan. The governing body reviews the request for consistency with the spending plan and adopts the recommendation by resolution.

The release of funds requires the adoption of the governing body resolution in accordance with the COAH-approved spending plan. Once a request is approved by resolution, the Borough Treasurer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF DEVELOPMENT FEES

- (a) The Borough of Old Tappan will dedicate \$ 480,000 to New Construction programs which are exempt from the affordability assistance requirement.

New Construction project(s): \$ 480,000

Acquisition of land to develop 100 percent affordable housing.

Borough of Old Tappan Housing Element and Fair Share Plan

- (b) The Borough of Old Tappan will dedicate \$ 90,000 from the affordable housing trust fund to render units more affordable, including \$ 30,000 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

[provide detailed description of the proposed affordability assistance program]

- (c) The Borough of Old Tappan will dedicate \$60,000 from the affordable housing trust fund to be used for administrative purposes as follows:

Housing plan and ordinance amendments and updates.

- (d) The remaining \$0 in the affordable housing trust fund will be used as follows:

N/A

SPENDING PLAN CALCULATION SUMMARY	
Existing Balance	\$170,000
Pending fees due upon issuance of building permit and/or CO	+ \$0
Projects awaiting approval	+ \$0
Projection based on historic development activity	+ \$400,000
Payments in lieu of construction	+ \$0
Projected Interest	+ \$60,000
Other	+ \$0
TOTAL PROJECTED REVENUE	= \$630,000
Funds used for Rehabilitation, RCA or New Construction (not including administration of such programs)	- \$480,000
TOTAL SUBJECT TO AFFORDABILITY ASSISTANCE REQUIREMENT	= \$90,000
Affordability Assistance (minimum of 30% of above total)	- \$0
Affordability Assistance to Very Low Income Households (minimum of 1/3 of above allotment)	\$30,000
Administration (maximum of 20% of total projected revenue minus RCA contribution)	- \$60,000
REMAINING FUNDS FOR OTHER HOUSING ACTIVITY	= \$0
1. <i>[list individual projects]</i>	- \$
2.	- \$
3.	- \$
	= \$0.00

Borough of Old Tappan Housing Element and Fair Share Plan

4. SCHEDULE FOR CREATION AND/OR REHABILITATION OF HOUSING UNITS

The Borough of Old Tappan intends to use development fee revenues for the creation and/or rehabilitation of housing units. The creation/rehabilitation schedule will parallel the schedule set forth in the Housing Element and Fair Share Plan as follows:

100 percent affordable program

PROGRAM	NUMBER OF UNITS	FUNDS REQUIRED									
		(YEAR)									
		1	2	3	4	5	6	7	8	9	10
1. 100% affordable development	12		TBD	TBD	TBD	TBD					
2.											
3.											
4.											
5.											
6.											
7.											

5. MUNICIPALLY SPONSORED OR 100 PERCENT AFFORDABLE PROGRAMS, NEW CONSTRUCTION ALTERNATIVE LIVING ARRANGEMENTS, AND AFFORDABLE HOUSING PARTNERSHIP PROGRAMS

To be determined.

SUMMARY

The Borough of Old Tappan intends to spend development fee revenues pursuant to N.J.A.C. 5:94-6.12 and in conjunction with the housing programs outlined in the housing element and fair share plan dated November 2008.

The Borough of Old Tappan has collected \$170,000 to date and anticipates an additional \$460,000 in revenues before the expiration of substantive certification for a total of \$630,000. The municipality will dedicate \$480,000 towards *land acquisition for 100 percent affordable housing development*, \$90,000 to render units more affordable, and \$60,000 to administrative costs. Any shortfall of funds will be offset by funds from the municipality or other sources as yet to be determined.

Borough of Old Tappan Housing Element and Fair Share Plan

A - 5: Resolution Forwarding the Spending Plan to COAH For Review

Resolution Forwarding the Spending Plan to COAH For Review

WHEREAS, the Governing Body of the Borough of Old Tappan, Bergen County petitioned the Council on Affordable Housing (COAH) for substantive certification on *(insert date)*; and

WHEREAS, the Borough of Old Tappan received approval from COAH on *[insert date]* of its development fee ordinance; and

WHEREAS, N.J.A.C. 5:94-6.2(c) requires a municipality with an adopted development fee ordinance, payments that have been received in lieu of constructing affordable housing pursuant to the terms of a developer's agreement and/or funds from the sale of units with extinguished controls to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:94-6.5 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historic development activity;
2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees, payments in lieu of constructing affordable housing units on site, and/or funds from the sale of units with extinguished controls, pursuant to N.J.A.C. 5:94-6.12;
4. A schedule for the expenditure of all development fees, payments in lieu of constructing affordable units on site, and/or funds from the sale of units with extinguished controls;
5. A schedule for the creation or rehabilitation of housing units;
6. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions being responsible for public sector or non-profit construction of housing; and
7. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and

Borough of Old Tappan Housing Element and Fair Share Plan

WHEREAS, the Borough of Old Tappan has prepared a spending plan consistent with N.J.A.C. 5:94-6.5.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Old Tappan, Bergen County requests that COAH review and approve Old Tappan's spending plan.

Jean M. Quinn
Borough Clerk

A - 6: Fair Share Ordinance

Fair Share Ordinance

This section of the Old Tappan Code sets forth regulations regarding low and moderate income housing units in Old Tappan that are consistent with the provisions of N.J.A.C. 5:94 et. seq. These rules are pursuant to the Fair Housing Act of 1985 and Old Tappan's constitutional obligation to provide for its fair share of low- and moderate-income housing.

1. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units and the remainder may be moderate-income units.
2. Except for inclusionary developments constructed pursuant to low income tax credit regulations:
 - a. at least half of all units within inclusionary development will be affordable to low income households; and
 - b. at least half of all rental units will be affordable to low income households; and
3. Affordable developments that are not age-restricted will be structured in conjunction with realistic market demands so that:
 - a. the combination of efficiency and one bedroom units is no greater than 20 percent of the total low and moderate income units; and
 - b. at least 30 percent of all low and moderate income units are two bedroom units; and
 - c. at least 20 percent of all low and moderate income units are three bedroom units; and
 - d. low and moderate-income units restricted to senior citizens may utilize a modified bedroom distribution. At a minimum, the number of bedrooms will equal the number of senior citizen low and moderate income units within the inclusionary development.
4. In conjunction with realistic market information, the following criteria will be used in determining maximum rents and sale prices:
 - a. studio units will be affordable to one person households; and
 - b. one bedroom units will be affordable to one and one-half person households; and
 - c. two bedroom units will be affordable to three person households; and
 - d. three bedroom units will be affordable to four and one-half person households; and

Borough of Old Tappan Housing Element and Fair Share Plan

- e. median income by household size will be established by a regional weighted average of the uncapped Section 8 income limits published by HUD as per N.J.A.C. 5:94-7.2(b); and
 - f. the maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60 percent of median income.
 - g. the average rent for low- and moderate-income units must be affordable to households earning no more than 52 percent of median income. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 10 percent of all low- and moderate-income units shall be affordable to households earning no more than 35 percent of median income
 - h. the maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income.
 - i. each affordable development must achieve an affordability average of 55 percent for restricted ownership units; moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
 - j. for both owner-occupied and rental units, the low and moderate income units will utilize the same heating source as market units within an affordable development; and
 - k. low income units will be reserved for households with a gross household income less than or equal to 50 percent of the median income approved by COAH; moderate income units will be reserved for households with a gross household income less than 80 percent of the median income approved by COAH; and
 - l. the regulations outlined in N.J.A.C. 5:80-26.6 and 5:80-26.12 will be applicable for purchased and rental units.
5. For rental units, developers and/or municipal sponsors may:
- a. establish at least one rent for each bedroom type for both moderate- and low-income units; and
 - b. the initial rent, including an allowance for utilities, will be established so as not to exceed 30 percent of the gross monthly income of the appropriate household size as per N.J.A.C. 5:80-26.4(a). The tenant-paid utility allowance will be consistent with the utility allowance published by DCA for its Section 8 program.

Borough of Old Tappan Housing Element and Fair Share Plan

6. For sale units:

- a. The initial purchase price for all restricted ownership units except those financed under UHORP or MONI shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.
- b. The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before October 1, 2001, which provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection shall have such fees and assessments governed by said ordinance; and
- c. the Borough of Old Tappan will follow the general provisions concerning control periods for ownership units as per N.J.A.C. 5:80-26.5; and
- d. eligible capital improvements prior to the expiration of controls on sale units will be consistent with N.J.A.C. 5:80-26.9; and

7. In zoning for inclusionary developments the following is required:

- a. low and moderate-income units will be built in accordance with N.J.A.C. 5:94-4.4:

Minimum % of Low/Moderate Income Units Completed	% of Market Housing Units Completed
0	25
10	25+1 unit
50	50
75	75
100	100

- b. a design of inclusionary developments that integrates low and moderate-income units with market units is encouraged.

Borough of Old Tappan Housing Element and Fair Share Plan

8. To provide assurances that low- and moderate-income units are created with controls on affordability over time and that low- and moderate-income households occupy these units, Old Tappan will designate an administrative agency or municipal authority with the responsibility of ensuring this is maintained. The administrative agency or municipal authority will be responsible for those activities detailed in N.J.A.C. 5:80-26.14.
 - a. In addition, the administrative or municipal authority will be responsible for utilizing the verification and certification procedures outlined in N.J.A.C. 5:80-26.7 and 5:80-26.13 in placing households in low and moderate income units; and
 - b. Restricted sales units will remain affordable to low and moderate income households for at least 30 years. The administrative or municipal authority will require all conveyances of newly constructed units to contain the deed restriction and restrictive covenants adopted by COAH and referred to as Appendices A, B, C, D, L, M, N, O, P and Q as found in N.J.A.C. 5:80-26; and
9. Regarding rental units: Newly constructed low and moderate-income rental units will remain affordable to low and moderate income households for at least 30 years. The administrative agency or municipal authority will require an appropriate deed restriction adopted by COAH and referred to as Appendix A.
10. Section 14(b) of the Fair Housing Act N.J.S.A. 52:27D-301 et seq. incorporates the need to eliminate unnecessary cost generating features from Old Tappan's land use ordinances. Accordingly, Old Tappan will eliminate development standards that are not essential to protect the public welfare and to expedite or fast track municipal approvals/denials on inclusionary development applications. The Borough of Old Tappan will adhere to the components of N.J.A.C. 5:93-10.1 - 10.3.

A - 7: Affirmative Marketing Ordinance

Affirmative Marketing Ordinance


The Borough's Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction. The Plan will address the requirements of N.J.A.C. 5:80-26.15. In addition, the Plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. The Borough of Old Tappan is in the housing region consisting of Bergen, Passaic, Hudson, and Sussex Counties. The affirmative marketing program is a continuing program and will meet the following requirements:

1. All newspaper articles, announcements and requests for applications for low and moderate-income units will appear in the following newspapers/publications: The Record.
2. The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an "as needed" basis.
3. The advertisement will include a description of the street address of units, direction to housing units, number of bedrooms per unit, range of prices/rents, size of units, income information, and location of applications including business hours, where/how applications may be obtained and application fees, if any.
4. All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in publications such as neighborhood oriented weekly newspapers, religious publications and organizational newsletters within the region. Regional radio and/or cable television station(s) will also be used.
5. The following is the location of applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region: posting of notices in the Borough Hall, and delivery of notices to the municipal clerks of all municipalities in the region.
6. The following is a listing of community contact persons and/or organizations in Old Tappan that will administer the program and will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region: Borough Administrator, local housing authority, County housing office, and houses of worship.

Borough of Old Tappan Housing Element and Fair Share Plan

7. Quarterly flyers and applications will be sent to each of the following agencies for publication in their journals and for circulation among their members: Board of Realtors in Bergen, Hudson, Passaic, and Sussex Counties.
8. Applications will be mailed to prospective applicants upon request.
9. Additionally, quarterly informational circulars and applications will be sent to the chief administrative employees of each of the following agencies in the counties within Old Tappan's region: welfare or social service board, rental assistance office (local office of DCA), Office on Aging, libraries, and housing agency or authority in each of the counties within Old Tappan's housing region.
10. A random selection method will be used to select occupants of low- and moderate-income housing.
11. The Borough's administrative management service shall administer the affirmative marketing program for for-sale units. The Borough's land use administrator will administer the affirmative marketing program for rental units until such time as the Borough appoints an administrative management service for rental units. The land use administrator, or administrative management service, has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; to assist with advertising and outreach to low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.
12. Households who live or work in the COAH-established housing region may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. The Borough of Old Tappan intends to comply with N.J.A.C. 5:94-7.3 and N.J.A.C. 5:80-26.15.
13. All developers of low- and moderate-income housing units will be required to assist in the marketing of the affordable units in their respective developments.
14. The marketing program will commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low- and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or re-occupancy of units continue to be necessary.

B - 1: Vacant Land and Environmental Constraints Map



Blaine Associates, Inc.
 2000 North Main Street
 Suite 100
 Farmington, CT 06031
 Tel: (860) 671-1111
 Fax: (860) 671-1112

Project Title:
**Housing Plan
 2008**
 TOWN OF OLD TAPPAN
 BERKE COUNTY
 NEW JERSEY

Key Map:
 Scale: NOT TO SCALE

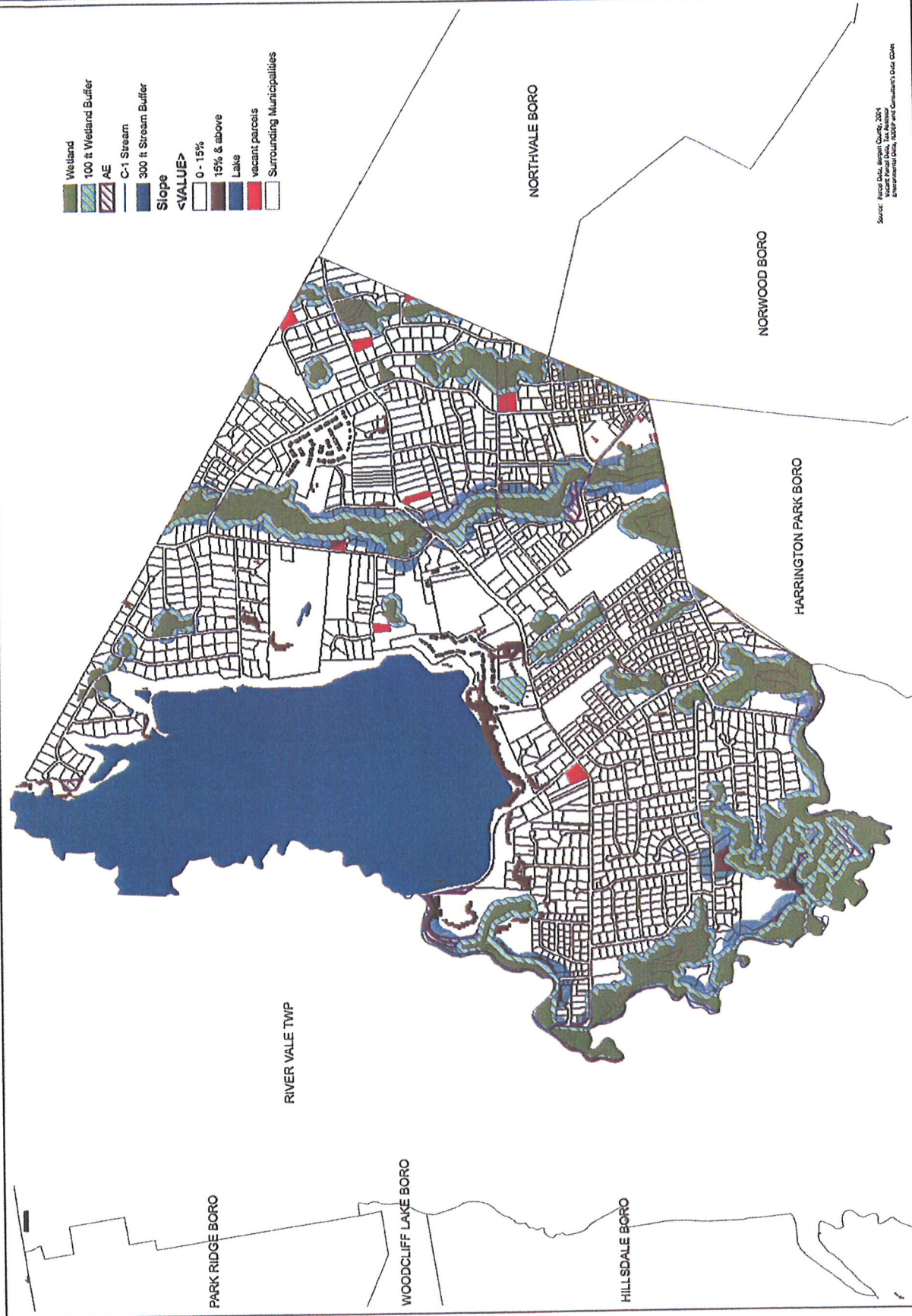
Day Legend

Legend	Symbol	Color	Line Style
Wetland		Green	Solid
100 ft Wetland Buffer		Blue	Solid
AE		Yellow	Solid
C-1 Stream		Blue	Dashed
300 ft Stream Buffer		Blue	Solid
Slope			
<VALUE>			
0 - 15%		Light Green	Solid
15% & above		Dark Green	Solid
Lake		Blue	Solid
vacant parcels		Red	Solid
Surrounding Municipalities			

Graphic Scale:
 0 200 400 Feet

Project No.: 2007-251
 Date: 12/1/07
 Author: J. Blaine
 Checker: J. Blaine
 Date: 12/1/07
 Scale: 1" = 1000'
 Day: 12/1/07
 Time: 10:00 AM
 Project: Housing Plan 2008

JOSEPH H. BLAINE, INC.
 PROJECT MANAGER
 NEW JERSEY LICENSE NO. 2008



Source: Aerial Data, MapInfo Corp., 2004
 Aerial Photo Data, Twp. Assessor
 Environmental Data, 1000' and 500' Contours Data, GCM

Borough of Old Tappan Housing Element and Fair Share Plan

B - 2: COAH Vacant Land Calculator Data

Summary of Adjusted Growth Share Projection Based On Land Capacity

(Introduction to Workbook C)

Municipality Name: Old Tappan

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. The Worksheet is a tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the projected Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.
[Click Here to complete Worksheet A](#)

Municipalities seeking to request a downward adjustment to the COAH-generated growth projections may do so by providing a detailed analysis of municipal land capacity. After completing this analysis, the growth projections may be lowered if the resulting growth share obligation results in a figure that is at least 10 percent lower than the projected Growth Share Obligation that would result from the COAH-generated growth projections. Actual growth must first be determined using the Actual Growth worksheet. A growth projection adjustment may only apply to any remaining growth.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Complete the Residential Parcel Inventory and Capacity Analysis](#)

[Click Here to Complete the Non-residential Parcel Inventory and Capacity Analysis](#)

Summary Of Worksheet Comparison

	COAH Projected Growth Share (From Worksheet A)	Growth Share Based on Municipal Capacity (From Worksheet C)
Residential Growth	356	76
Residential Exclusions	0	0
Net Residential Growth	356	76
Residential Growth Share	71.20	15.22
Non-Residential Growth	314	53
Non-Residential Exclusions	0	0
Net Non- Residential Growth	314	53
Non-Residential Growth Share	19.63	3.28
Total Growth Share	91	19

The Municipal land capacity analysis results in a reduction to the COAH-generated growth projection. Please file Workbook C and use a Residential Growth Share of 15.22 plus a Non-residential Growth Share of 3.28 for a total Growth Share Obligation of 19 affordable units

Worksheet A: Growth Share Determination Using Published Data
(Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name: Old Tappan

Enter the COAH generated growth projections form Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	356	314
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	356	314
5 Projected Growth Share (Conversion to Affordable Units Divide HH by 5 and Jobs by 16)	71.20 Affordable Units	19.63 Affordable Units
6 Total Projected Growth Share Obligation		91 Affordable Units

[Click Here to return to Workbook C Summary](#)

* For Residential Growth, See Appendix F(2), Figure A.1, Housing Units by Municipality. For Non-residential Growth, See Appendix F(2), Figure A.2, Employment by Municipality

Growth Projection Adjustment - Actual Growth

Municipality Name:

Old Tappan

Actual Growth 01/01/04 to Present					
Residential COs Issued	0				
		Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF	Total Jobs
Non-residential CO's by Use Group					
B		15032		2.8	42.09
M		10610	4479	1.7	10.42
F				1.2	0.00
S				1.0	0.00
H				1.6	0.00
A1				1.6	0.00
A2				3.2	0.00
A3				1.6	0.00
A4				3.4	0.00
A5				2.6	0.00
E				0.0	0.00
I				2.6	0.00
R1				1.7	0.00
Total		25642	4479		53

[Return to Growth Projection Adjustment Summary Screen](#)

[Proceed to Inventory of Vacant Residential Land](#)

[Proceed to Inventory of Non-residential Land](#)

Old Tappan Growth Projection Adjustment - Residential Parcel Inventory

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
405	2	16 Continental Dr	Continental Dr LLC	1	n	y		1.30	0.00		1.30	8.00	10.40
601	4	72 DeWolf Rd	Chris Steph LTD	1	n	y		1.44	1.44	flood hazard; isolated	0.00	8.00	0.00
701	2	35 O'Connors Ln	Smyth, G	1	n	y		0.97	0.00		0.97	8.00	7.76
702	5	153 Old Tappan Rd	Plescia, M Sr.	1	n	y		1.85	1.85	wetlands, flood hazard	0.00	8.00	0.00
801	18	143 Weidmann Ct	Harco Ind	1	n	y		1.4	0		1.40	8.00	11.20
902	8	47 Old Tappan Rd	Gigante, T.	1	n	y		1.57	0		1.57	8.00	12.56
902	16	03 6 Manor Ct	15 Wakelee Dr Corp	1	n	y		1.675	1.675	wetlands, buffer, steep	0.00	8.00	0.00
1005	9	01 86 Orangeburgh Rd	Lone Cedar II LLC	1	n	y		3.193	2	wetlands, buffer	1.19	8.00	9.54
1005	9	02 84 Orangeburgh Rd	Lone Cedar II LLC	1	n	y		3.22	2.09	wetlands, buffer	1.13	8.00	9.04
1104	11	Autumn Ln	Shaulov, E	1	n	y		1.26	1.26	wetlands, flood plains	0.00	8.00	0.00
1203	2	Liberty St	Petrone, P	1	n	y		0.057			0.00	8.00	0.00
1204	1	35 Central Ave		1	n	y		0.12			0.00	8.00	0.00
1206	6	Grace Ave		1	n	y		0.14	0.14	wetlands	0.00	8.00	0.00
1206	7	Grace Ave		1	n	y		0.23	0.23	wetlands	0.00	8.00	0.00
1210	1	Clark Ave		1	n	y		0.23	0.23	wetlands	0.00	8.00	0.00
1212	5	Williams Ave		1	n	y		0.11	0.11	wetlands	0.00	8.00	0.00
1302	10	First Street		1	n	y		0.35	0.35	wetlands; isolated; real	0.00	8.00	0.00
1303	19	Division Street		1	n	y		0.14	0.14	wetlands	0.00	8.00	0.00
1303	12	Division Street		1	n	y		0.1			0.00	8.00	0.00
1303	26	Chestnut Ave		1	n	y		0.1	0.1	wetlands	0.00	8.00	0.00

[Add More sheets](#)

[Click Here to Return to Workbook C Summary](#)

[Click Here to Proceed to Non-residential Parcel Inventory and Capacity Analysis](#)

* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

Subtotal This Page 60.50
Subtotal Page 2 15.60
Subtotal Page 3 0.00
Subtotal Page 4 0.00
Subtotal Add'l Pages 0.00
Grand Total 76.10

Old Tappan Growth Projection Adjustment - Residential Parcel Inventory Page 2

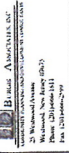
Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
1303	11	Division St	Kim, Y S	1	n	y		0.08	0.08	isolated, pt c	0.00	8.00	0.00
1303	21	Rear Central Ave		1	n	y		0.39	0.39	wetlands	0.00	8.00	0.00
1303	14	Division St	Froeder, A	1	n	y		0.04	0.04	isolated, pt c	0.00	8.00	0.00
1303	15	Division St	Pavlu, D	1	n	y		0.08	0.08	isolated, pt c	0.00	8.00	0.00
1303	22	Spruce St	Timpert, H	1	n	y		0.057	0.057	isolated, unc	0.00	8.00	0.00
1303	13	Division St	Spathis, N	1	n	y		0.08	0.08	isolated, pt c	0.00	8.00	0.00
1303	2	32 Central Av	Dabgsj Ent	1	n	y		0.52	0.52	undersized	0.00	8.00	0.00
1303	24	Spruce St	Hoff, R	1	n	y		0.057	0.057	isolated, unc	0.00	8.00	0.00
1303	9	Division St	Meyers, J & S	1	n	y		0.05	0.05	isolated, pt c	0.00	8.00	0.00
1303	23	Spruce St	Hoehl, B	1	n	y		0.057	0.057	isolated, unc	0.00	8.00	0.00
1303	10	Division St	McArdle, L	1	n	y		0.005	0.005	isolated, pt c	0.00	8.00	0.00
1303	16	Division St	Kim, K Y	1	n	y		0.046	0.046	isolated, pt c	0.00	8.00	0.00
1303	17	Division St	Cohen, A & L	1	n	y		0.046	0.046	isolated, pt c	0.00	8.00	0.00
1303	18	Division St	Apkarian, J	1	n	y		0.092	0.092	isolated, pt c	0.00	8.00	0.00
1406	5	1 Pearl Ct	Spanish Amer Ir	1	n	y		9.62	9.62	wetlands, bu	0.00	8.00	0.00
1701	7.01	Old Tappan Rd	Sunden, R	1	n	y		0.96	0		0.96	8.00	7.68
1701	7.02	Old Tappan Rd	Sunden, R	1	n	y		0.99	0		0.99	8.00	7.92
1805	18			1	n	y		1.42	1.42		0.00	8.00	0.00
2305	1.03	95 Willow Dr	Vail, G & L	1	n	y		1.998	1.998	buffers well	0.00	8.00	0.00
												Total Page 2	15.60

[Add More Sheets](#)

[Residential Inventory Main Page](#)




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B - 3: COAH Vacant Land Map

BOROUGH OF OLD TAPPAN
BERGEN COUNTY, NEW JERSEY

Easy Shop
Scale NOT TO SCALE

Only use these tags: ['p>...

 Vacant land per COAH
 Lakes
 Parcel

Source 1: CONSULTANT'S DATA COAH- May 2008
Source 2: BERGEN COUNTY PARCEL DATA- June 2006
Source 3: BERGEN COUNTY LAKE DATA- May 2003

JOSEPH H. BURGIS AND PROFESSIONAL FIRM NEW JERSEY U.S. NO. 2450	
Project No.	2007/01
Sheet # of	1 of 1
Date	04/02/09
Drawn	aka
Checked	
File Name	2007/01/01
Days	10
VAC-CONH JOB CONTRACT NO. TO BE APPROVED	